

Howard County Department of Planning and Zoning
Division of Land Development
ALTERNATIVE COMPLIANCE APPLICATION
[Alternative Compliance from Subdivision and Land Development Regulations]

Date Submitted/Accepted _____ DPZ File Number _____

I. **Site Description**

Subdivision Name/Property Identification: _____

Location of property: _____
(Street Address and/or Road Name)

(Existing Use)

(Proposed Use)

(Tax Map No.)

(Grid/Block No.)

(Parcel No.)

(Election District)

(Zoning District)

(Total Site Area)

Provide a brief site history including reference to all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.)

II. **Alternative Compliance Request**

In accordance with Section 16.104 of the Howard County Subdivision and Land Development Regulations, the Department of Planning and Zoning, in conjunction with the Subdivision Review Committee **may grant alternative compliances or modifications to the minimum requirements stipulated within the Regulations if it is determined that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, or if it is determined that the regulations may be served to a greater extent by an alternative proposal.**

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a summary of the regulation. Attach a separate sheet if additional information is appropriate.

Section Reference No.

Summary of Regulation

1. _____	_____ _____ _____
2. _____	_____ _____ _____
3. _____	_____ _____ _____
4. _____	_____ _____ _____
5. _____	_____ _____ _____

III. *Justification*

All alternative compliance requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application at the time of submission. Justification must be specific to the subject property. The justification provided by the petitioner should include all factors which rationalize or substantiate the request in accordance with the following criteria:

- a. Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.
- b. Verify that the intent of the Regulations will be served through the implementation of the alternative proposal.
- c. Substantiate that approval of the alternative compliance will not be detrimental to the public interests.
- d. Confirm that approval of the alternative compliance will not nullify the intent of the Regulations.

PLEASE ATTACH A SEPARATE LETTER OF JUSTIFICATION TO SUPPORT THE ALTERNATIVE COMPLIANCE REQUESTS.

IV. *Pre-Submission Meeting Requirements*

- a. **Community Meeting Requirement, if applicable** - If no previous subdivision plans and/or zoning or conditional use petitions were processed, a pre-submission community meeting is required for the initial plan submittal of all new residential development and for all new non-residential development or an existing non-residential development which is proposed for a floor area expansion of more than 25%, except County Capital Projects which hold a community outreach meeting, in accordance with Sections 16.156(a) and 16.128 of the Subdivision and Land Development Regulations for alternative compliance of the site development plan requirement. The property owner/developer must provide **3 weeks** advance notice regarding the community meeting's date, time and location to all adjoining property owners identified in the records of the State Department of Assessments and Taxation and any community association that represents the geographic area of the subject property by first class mail; and sent electronically to any community association registered with the County for projects in a certain geographic area; the Howard County Council; and DPZ, which will place the meeting notice on the DPZ's website. The developer shall send a copy of the minutes and written responses to the meeting attendees and DPZ, either electronically or by first class mail.

Certification that the meeting notices were mailed to all adjoining property owners and any community association that represents the geographic area, and the principal and Parent-Teacher Association (PTA) president for each school with an attendance area that includes the subject property. Projects in Downtown Columbia must also notify each Village Board, the Columbia Association and each property owner located within the same Downtown Columbia Plan neighborhood.

Verification that the meeting notices were emailed to any citizen and community association registered online with Howard County. List of meeting attendees. Copy of the meeting minutes and written responses to the meeting attendees' questions. Verification that the meeting minutes and responses were sent within **30 days to all meeting attendees either by mail or email.**

****Please contact the Division of Land Development regarding the applicability of this requirement.**

- b. **HPC Meeting Requirement, if applicable** - A pre-submission advisory meeting with the Historic Preservation Commission is required for new development located within a Historic District or if the site contains a historic structure (50 years or older) in accordance with Section 16.603A of the Howard County Code. Verify this requirement by checking the Historic Sites Inventory list and maps available at the DPZ public service desk or checking with the Resource Conservation Division. The property owner/developer must contact the DPZ, Resource Conservation Division for the HPC scheduling process and procedures. **The property owner/developer must submit a copy of the minutes from the HPC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.**

- c. **MAA Meeting Requirement, if applicable** - For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4-mile radius from the center of the

airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or alternative compliance approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or alternative compliance application.

- d. **Design Advisory Panel (DAP), if applicable** – A pre-submission advisory meeting with the Design Advisory Panel is required for all new site development plans submitted for new development or redevelopment projects on parcels located in the U.S. Route 1 corridor that are zoned 'CE', 'CAC' or 'TOD' or that adjoin the Route 1 right-of-way and that are subject to the Route 1 Design Manual in accordance with Sections 16.1501 and 16.1504 of the Howard County Code, and for new development or redevelopment projects on parcels located within the U.S. Route 40 corridor that are zoned 'TNC' or that are subject to the Route 40 Design Manual in accordance with Section 16.1501 of the Howard County Code, and for all new SDP's for new developments or redevelopment projects located within the Downtown Columbia Revitalization area in accordance with Section 125.0 of the Zoning Regulations. Additionally, a DAP meeting is required for the 'R-H-ED', 'R-APT', 'BRX', 'CEF' and 'CR' zoning districts in accordance with the 10/6/13 Comprehensive Zoning Regulations. The property owner/developer must contact the DPZ, Division of Comprehensive and Community Planning to verify this requirement and for information concerning the DAP meeting scheduling process and procedures. The property owner/developer must submit a copy of the DAP project design recommendation to DPZ along with the development plan application submission, if applicable.

V. **Plan Exhibit**

A. **Number of Copies Required**

The alternative compliance application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan (**15 sets of the completed alternative compliance application and plan exhibit if the subject property adjoins a County road; 19 sets for properties adjoining a State road**).

In instances where the alternative compliance request concerns an approval extension or if an associated plan is in active processing, only **2** sets of plans are required along with **15** or **19** copies of the application form. **Plans must be folded to a size no larger than 7-1/2" x 12". The pre-packaging of plans and supplemental reports by SRC agency will be permitted by DPZ provided that each package contains a cover letter which itemizes all plans, reports and documents included in the package.**

Please be advised that all plan application submissions are ACCEPTED BY APPOINTMENT ONLY. All plan submission appointments must be scheduled with the Division of Land Development at (410) 313-2350.

Plan applications are available on the DPZ website at <https://howardcountymd.gov/Departments/Planning-and-Zoning/Land-Development>.

B. **Plan Requirement Checklist**

The detailed alternative compliance exhibit, plot plan, subdivision plan or site development plan must indicate the following required information relevant to the alternative compliance request to ensure acceptance of the alternative compliance application for processing.

Legend:	<u>✓</u>	Information Provided	<u>X</u> Information Not Provided,
	<u>NA</u>	Not Applicable	Justification Attached

- ___ 1. Vicinity map scale 1" = 2,000' indicating and identifying the total boundary of the property, exact site location, vicinity roads and north arrow.
- ___ 2. Bearings and distances of property boundary lines for the entire tract and size of tract area.
- ___ 3. North arrow and scale of plan.
- ___ 4. Location, extent, boundary lines and area of any proposed lots.
- ___ 5. Any existing or proposed building(s), structures, points of access, driveways, topography, natural

features and other objects and/or uses on the subject and adjacent properties which may be relevant to the petition; i.e. historic structures, cemeteries or environmentally sensitive areas.

- ___ 6. Delineation of building setback lines.
- ___ 7. Delineation of all existing public road and/or proposed street systems.
- ___ 8. Identification and location of all easements.
- ___ 9. Approximate delineation of floodplain, streams, wetland and forested areas, if applicable, and/or provide a professional certification that environmental features do not exist on the property.
- ___ 10. Road profile to evaluate sight distance, if the application includes a request for direct access to a major collector or more restrictive roadway classification.
- ___ 11. Any additional information to allow proper evaluation (e.g. for alternative compliance to wetland buffers an alternative analysis and mitigation proposal are needed; for alternative compliance to SDP requirements where there is no subdivision of land, an APFO Roads Test evaluation may be needed, for alternative compliance of final plat or SDP, a copy of property deeds to confirm legal creation or status of property is needed).
- ___ 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the alternative compliance request.
- ___ 13. The exhibit plans should be highlighted to accurately illustrate the requested alternative compliance(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- ___ 14. Submit 2 sets of photographs for all existing on-site structures.
- ___ 15. Identify the location of any existing wells and/or private septic systems.

- ___ 16. **Route 1 Manual**
Compliance with the Route 1 Manual is required for new development and some alterations or enlargements located in the CE, TOD and CAC zoning districts and for other zoning districts located within the Route 1 corridor. All plan submissions, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 1 Manual's requirements and recommendations. All plan submissions shall provide a written summary of how the proposed design achieves the objectives of the Route 1 Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.

- ___ 17. **Route 40 Design Manual**
Compliance with the Route 40 Design Manual is required for new development and redevelopment projects located in the Traditional Neighborhood Center (TNC) zoning districts and on parcels located within the Route 40 Corridor as defined in the Route 40 Design Manual. All plan submissions within the Route 40 corridor, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 40 Design Manual's requirements and recommendations. All plan submissions within the Route 40 corridor shall provide a written summary of how the proposed design achieves the objectives of the Route 40 Design Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.

- ___ 18. **Property Deeds** – Information to confirm the legal creation or status of the property to be improved. (Copy of deeds from Howard County Land Records Office or record plat name and recording reference number). **A complete chronological deed history is required for all deeded residential properties. Provide 2 copies of the recorded deeds for the subject property tracing its history back to 1960.**

- ___ 19. Please complete the following:

A pre-submission meeting was held with DPZ on _____ with
[date]
_____, if applicable.
[DPZ, Director, DLD Division Chief or other SRC representatives]

VI. **Fees**

The Alternative Compliance application fee shall be in accordance with the adopted fee schedule. All checks shall be made payable to the *Director of Finance*. **The petition will not be accepted for processing until the fee has been paid. Incomplete, incorrect or missing information may result in the rejection of the application** and could cause additional time to be required to revise the application for resubmittal and re-review. For more information or questions, contact DPZ at (410) 313-2350.

VII. **Owner's/Petitioner's Certification**

I/WE the undersigned fee simple owner(s) hereby make application to the Howard County Department of Planning and Zoning to provide an alternative compliance request of the minimum requirements of the Howard County Subdivision and Land Development Regulations. The undersigned hereby certifies the information supplied herewith is correct and complete, confirms that the regulations and policies as referred to in the attached are understood, and authorizes periodic on-site inspections by the Howard County Subdivision Review Committee agencies. ***If the applicant is the owner's agent, written documentation from owner granting that authority is required at the time of the submission.**

☐ Owner's authorization attached *

(Signature of Property Owner)
(Fee Simple Owner Only)

(Date)

(Signature of Petition Preparer) *

(Date)

(Name of Property Owner)

(Name of Petition Preparer, Surveyor/Engineering/Architect
or Agent/Developer)

(Address)

Address)

(City, State, Zip Code)

(City, State, Zip Code)

E-Mail _____

E-Mail _____

(Telephone)

(Fax)

(Telephone)

(Fax)

Contact Person: _____

Contact Person: _____

Howard County Department of Planning and Zoning
Division of Land Development

INITIAL SUBMISSION
ALTERNATIVE COMPLIANCE WORKSHEET
(For DPZ Use Only)

Project Name _____ DPZ File No. _____
DPZ Plan Reviewer _____ Submission Date _____
Plan Consultant Representative _____ Time _____

- I. **Application Requirements** *Indicate Yes, No or N/A*
- a. Application is complete _____
 - b. Required number of plans and applications are provided _____
 - _____ Plans (15 sets on County Road or
 - _____ Applications 19 sets on State Road)
 - c. Supplemental Information is provided _____
 - d. Certification of pre-submission community meeting and summary of community comments with dated responses to all meeting attendees within 60 days is provided and three-week notice given to DPZ and County Council, if applicable _____
 - e. Certification of pre-submission HPC advisory meeting for new projects in Historic District or listed in Historic Sites Inventory, if applicable _____
 - f. Photographs of existing structures (for Historic Preservation Review) _____
 - g. MAA Approval Letter (if applicable) _____
 - h. Written summary of Route 1 Manual/Route 40 Design Manual compliance (if applic) _____
 - i. DAP project design recommendation for Route 1/Route 40 projects _____

- II. **Fee Computation** **Fee**
- Number of alternative compliance sections requested _____
- * Base Fee for first two alternative compliance sections (**\$450**) _____
- Fee for each additional alternative compliance section (____ additional alternative compliances x **\$50** each) _____
-
- * (Maximum fee of **\$350** for Agricultural Preservation parcels)

TOTAL _____

III. **Certification**

Cash Receipt No. _____ Amount _____

SAP Acct 1000000000-3000-3000000000-PWPW000000000000-432530

Check issued by _____

____ Alternative Compliance application is accepted for processing.

____ Scheduled SRC meeting date.

____ Alternative Compliance application is rejected.

Reason: _____

____ Resubmission is accepted. Date _____ Staff initials _____

Comments/Notes _____
